

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-1789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

**[PROPOSED] ORDER GRANTING TRUSTEE’S FORTY-FOURTH OMNIBUS
MOTION TO AFFIRM THE TRUSTEE’S CLAIMS DETERMINATIONS AND
OVERRULE OBJECTIONS THAT APPEAR TO RAISE FACTUAL ISSUES**

Upon consideration of the motion (the “Motion”) [Docket No. __], by Irving H. Picard, trustee (“Trustee”) for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) and the chapter 7 estate of Bernard L. Madoff (“Madoff”) (collectively, “Debtor”), in the above-captioned SIPA¹ liquidation proceeding seeking to have the Court affirm his claims determinations and overrule the related objections that appear to raise customer-specific factual issues (the “Objections”); and the Claims to be disallowed and Objections to be overruled are identified in Exhibit A to the Declaration of Vineet Sehgal in Support of the Motion (the “Sehgal Declaration”), [Docket No. __]; and the net loser Claims determinations to be affirmed and Objections to be overruled are identified in Exhibit B to the

¹ All capitalized terms not defined herein shall have the meaning ascribed in the Motion.

Sehgal Declaration; and due and proper notice of the Motion having been given and it appearing that no other or further notice need be provided; and the Court having found and determined that the relief sought in the Motion as set forth herein is in the best interests of the Debtor, its estate, creditors, and all parties in interest; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the Motion is granted to the extent provided herein; and it is further

ORDERED that the Claims listed on Exhibit A hereto are disallowed; and it is further

ORDERED that the Trustee's Claims determinations regarding the Claims listed on Exhibits A and B hereto are affirmed; and it is further

ORDERED that the Objections listed on Exhibits A and B hereto are overruled; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

IN RE: BLMIS. CASE NO: 08-01789 (CGM)

EXHIBIT A – CLAIMS AND OBJECTIONS

Objecting Party	Claim Number	Objection To Determination Docket Number	Counsel	Account Name	Account Number
Alan H Rosenthal and Linda S Rosenthal	005114	611	Phillips Nizer LLP	Alan H Rosenthal & Linda S Rosenthal	1CM246
Annette Jungreis and Irving Jungreis Trustees; Annette Jungreis Trust 5/13/93	005059	572	Phillips Nizer LLP	Annette Jungreis and Irving Jungreis Trustees	1ZB303
Irving Jungreis and Annette Jungreis Trustees; Irving Jungreis Trust 5/13/93	005057	573	Phillips Nizer LLP	Irving Jungreis and Annette Jungreis Trustees	1ZB304
Michael Epstein & Joan B Epstein J/T WROS	005707	682	Phillips Nizer LLP	Michael Epstein & Joan B Epstein J/T WROS	1ZB471
The Breier Group	006449	1023	Phillips Nizer LLP	The Breier Group	1ZA098
The Lawrence Family Trust, George Lawrence and Theresa Lawrence, Trustees	003372	2444	Becker & Poliakoff, LLP	Lawrence Family Trust George Lawrence	1L0128
The Sanford Harwood Family Limited Partnership	005665	571	Phillips Nizer LLP	The Sanford Harwood Family Limited Partnership	1ZB353

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EXHIBIT B – CLAIMS AND OBJECTIONS

Objecting Party	Claim Number	Objection To Determination Docket Number	Counsel	Account Name	Account Number
Brody Family LTD Partnership #1	003183	745	Pro Se Filing	Brody Family Limited Partnership #1	1ZB311
Diana P Victor	006047	1143	Dewey & LeBoeuf LLP	Diana P Victor	1ZA126
Eric F. Salzman, General Partner of Black River Associates LP	006048	2184	Pro Se Filing	Black River Associates LP	1CM795